

TOWN OF KILLINGTON PLANNING COMMISSION

Minutes from the Meeting of January 31, 2024

Public meeting held at the Public Safety Building and remotely via Zoom teleconference.

PRESENT: Jennifer Iannantuoni, Chair
Vince Wynn
Ricky Bowers
Rob Hecker
Lisa Davis Lewis, Town Planner
Michael Ramsey, Town Manager
Jim Haff, Interim Zoning Administrator

START: 7:04 p.m.
END: 9:41 p.m.

GUEST ATTENDEES: Jon Wysocki
Tom Karlhuber*
Curt Peterson*
Jay Wong*
Katy Schofield*
Michael Sneyd*
Pierre Laurent*
Safdie Architects (representatives)*
Wen Wen*
Jamie Foxx*
Kelly M Rottenbucher*
Ceclia Clancy*
John Sheehan*

*Participants attending via *Zoom* video conferencing

1. Open Meeting

Jennifer Iannantuoni, Chair opened the meeting at 7:04 p.m.

2. Approval of Agenda

The Chair requested a Motion to approve the meeting agenda as may be amended. Wynn made a motion to approve the agenda. Hecker second. The Chair indicated that #6 should be amended to with the words "Discussion of". The Motion to approve the agenda as amended was approved unanimously.

3. Approval of Minutes

The Chair requested a Motion to approve the draft minutes of January 3, 2024, as may be amended. Wynn made a motion to approve the minutes. Hecker seconded. There being no amendments, the Motion passed unanimously. The Chair requested a Motion to approve the draft minutes of January 10, 2024, as may be amended. Wynn made a motion to approve the minutes. Hecker seconded. There being no amendments, the Motion passed unanimously.

4. **Citizen Input**

Jon Wysocki read a letter into the record that was signed by 3 members of the Development Review Board stating their objection to amending the zoning bylaws to accommodate a private developer and recommending that any changes be made through the variance process. The Zoning Administrator objected to the letter noting that it was not discussed and authorized at a DRB meeting and that any business undertaken outside of a meeting is a violation of the open meetings law. The Chair thanked him for his comments and indicated that the PC would take them under advisement.

5. **Proposed Zoning Bylaw Amendments for Cannabis Establishments**

Davis Lewis indicated that the Selectboard has scheduled a public hearing for February 12, 2024, and that if any members of the PC have any comments they should be made at the hearing.

6. **Proposed Zoning Amendments**

The Chair opened the discussion on the proposed zoning bylaw amendments. The Chair remarked on the compliance with S100 as well as the “clean up” process and indicated that there was really nothing to discuss. Davis Lewis noted that she had marked up changes in yellow that she thought needed to be discussed and her recommendation is that we start with these items. She also noted that before she got into the bylaw, she recommended a change to the zoning map. Currently the Village straddles the Ski Village (SV) and Ski Village II (SVII) zoning districts and that she thinks it would be better if it were entirely contained within the SVII District. The Chair asks what the process is to make this change and Davis Lewis remarked that it is the same process as amending zoning and can be simultaneous although we do need Rutland Regional PC to make the change for the town. Wynn asked why the map was carved out this current way and Davis Lewis stated that she was not around so could not comment. The Chair thought this map change made sense.

With the assistance of the Planner (Lisa Davis Lewis), the Commission started to review the highlighted items. The Town Manager indicated that the idea for this meeting could be to agree on some changes and then identify those changes that may need further discussion. The Chair concurred. Prior to going through the proposed changes, Davis Lewis mentioned that all Cannabis related changes are redlined because the Selectboard has yet to vote on them, but they do not need further discussion. Haff remarked that many of the proposed changes do not have anything to do with Great Gulf or the Village. Davis Lewis noted that the Table of Contents with Chapter Page Numbers will need to be updated once the changes have been agreed upon. Starting with the Definitions Section, Davis Lewis noted that the changes to Accessory Dwelling Units are necessary for compliance with S100 and similarly Town Counsel added a definition for Affordable Housing. She noted that Salomon had sent her an email asking why this definition did not refer to the number of persons within a household and she indicated that this definition was provided by the Town Counsel, and she would discuss it with him.

Davis Lewis reminded the Commission that at the last meeting they had agreed to change the definition for Building Height. She noted that this is a better definition and one that

should encourage peaked roofs. Bowers questioned whether this was really the case. Davis Lewis questioned why we measured the average roof height. The Zoning Administrator pointed out that a building can have multiple roof heights which is why using the average makes sense. Davis Lewis pointed out that by changing this definition, the maximum height allowed in each zoning district needs to be changed. For example, currently the bylaw limits the height of a 3-story building to 20 feet because it is measured at the floor and not the roof. She recommends that the height be changed to 35 feet and again reminded the Commission that this is not an increase in height but a result of changing the definition. The Town Manager asked if there was an agreement on building height and everyone answered in the affirmative. The Chair indicated that we could move on to the next item.

Davis Lewis asked everyone to review the definition of Independently Occupied Units. She indicated that this definition was written by Town Counsel and is different from what Great Gulf had drafted. She wanted confirmation that the group was okay with this definition. The Commissioners indicated that they were comfortable with this definition.

The Commission then discussed setbacks for the SVII zoning district. Davis Lewis stated trying to identify front, side and rear setbacks within a PUD is difficult and therefore she is proposing they require setbacks from a Public Right of Way (ROW) and from the edges of the property line. She recommends 15 feet from a Public ROW which is consistent with the front yard setbacks in the Commercial Zoning District. The Commission agreed with this recommendation. Regarding setbacks from property lines, she recommended 25 feet with an exception where the property abuts lands owned or under control of the Ski Resort. The Commissioners agreed with this recommendation.

Davis Lewis raised the fact that within the Valley Zoning District, the minimum lot area is 10 acres. She asked if the Commissioners would like to change this requirement. The consensus was to leave it at 10 acres.

Davis Lewis pointed out a section in the bylaw that referred to Dwellings above 1,700 ft and stated that she did not know what this numbers was based upon; the Commissioners expressed no interest in addressing this issue at this time.

Regarding the requirements to undertake site restoration for work done in the Forest Reserve. Davis Lewis asked if this was something they would like to see expanded to all zoning districts. The Commissioners indicated that this discussion should be tabled for now because it will be addressed in Subdivision regulations.

There was a discussion on private roads and the Town Manager noted that the Selectboard should adopt a Private Road Policy.

The Commissioners held a lengthy discussion regarding building height within the SV II District. Davis Lewis informed the Commissioners that under the current bylaw, the maximum building height is 47 feet but that using the new definition of height, this translates to 68 feet so that changing the maximum building height to 70 feet does not

constitute a change in height. Great Gulf is requesting an increase in the number of stories from 5 stories, which is currently allowed to 6 stories. She referred to the building elevations they provided and showed that the additional floor will address changes in topography and that looking from the Village Main Street, they are proposing 1 story of retail and 4 stories of residential for a total of 5 stories. However, on the back side of the building they are using the lower topography to add a story hence the 6 stories. Davis Lewis stated that Great Gulf is proposing one building per phase would be taller than the typical building and would have a maximum height of 94 feet and 8 stories. Wynn stated that this is almost a 50% increase in height and that he was not comfortable making this change. Wen Wen of Safdie Architects presented (via zoom) a 3D aerial model of the proposed Village. The Chair asked about building materials. Wen Wen stated that they are still narrowing down the options, however they are looking at using timber for the visual appeal. Lisa reminded the Commission to focus on zoning. After more discussion it was apparent that there was not a consensus on building height and the Chair recommended that this topic be discussed at the next meeting.

7. **Updates and Reports**

- **Raise Grant** – Davis Lewis informed the PC that the Town will be applying for a Raise Grant to fund phases 2-4 of the reconstruction of the Killington Road.
- **TA Grant** – no updates.
- **Killington Forward** - No additional updates
- **Recreation Plan Update** – No updates.
- **VOREC** – Davis Lewis stated that the ANR staff asked the Town to host VOREC’s Steering Committee meeting on February 9, 2024. The Town agreed to do so.

8. **Commissioner’s Concerns** –None

9. **Executive Session** – None

10. **Next Meeting** – The next PC Meeting will be on Tuesday February 13, 2024 @ 7:00 PM at the Public Safety Building.

11. **Adjourn** – Wynn made a motion at 9:41pm to adjourn. Hecker seconded. All in favor.

Respectfully submitted,

Lisa Davis Lewis
Town Planner